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**FISCAL IMPACT STATEMENT**

**LS 6731**

**BILL NUMBER:** HB 1204

**NOTE PREPARED:** Jan 23, 2012

**BILL AMENDED:** Jan 23, 2012

**SUBJECT:** Sex Offender Registry.

**FIRST AUTHOR:** Rep. Dermody

**FIRST SPONSOR:**

**BILL STATUS:** CR Adopted - 1<sup>st</sup> House

**FUNDS AFFECTED:**     **GENERAL**  
                              **DEDICATED**  
                              **FEDERAL**

**IMPACT:** Local

**Summary of Legislation:** (Amended) This bill has the following provisions:

- A.     *Sexual Misconduct by a Service Provider* – It provides that if a person is: (1) a public servant or other person employed by a governmental entity or another person who provides goods or services to a person who is subject to lawful detention; and (2) convicted of engaging in sexual intercourse or deviate sexual conduct with another person who is subject to lawful detention; the person is considered to be a sex offender who must register as a sex or violent offender with the appropriate law enforcement agency.
- B.     *Sex or Violent Offenders No Longer Required to Register* – It provides that certain sex or violent offenders who are no longer required to register are not entitled to have their information (other than their addresses) purged from the registry. It specifies certain duties a sex or violent offender and a law enforcement agency are no longer required to perform if the offender is no longer required to register. It specifies that persons who were previously required to register as sex or violent offenders (as well as current sex or violent offenders) are generally not allowed to restrict access to their conviction records.
- C.     *“Romeo and Juliet” Relationships* – It provides that certain persons who: (1) were less than 21 years of age at the time the persons were convicted of the offense of sexual misconduct with a minor; and (2) are required to register; may petition a court for an order that provides the persons are no longer required to register or update a registration and that requires information concerning the persons must be removed from the registry.

**Effective Date:** July 1, 2012.

**Explanation of State Expenditures:**

**Explanation of State Revenues:**

**Explanation of Local Expenditures:** (Revised) *Sexual Misconduct by a Service Provider* – Added costs from this provision should be minimal. Offenders who are sentenced for this crime are currently not required to register in the Sex Offender Registry. These offenders would now be required to register once they are released from prison. In CY 2011, four offenders were committed for sexual misconduct by a service provider.

(Revised) *Offenders No Longer Required to Register* – County sheriffs would no longer be required to visit these sex offenders once a year if they are no longer required to be on the Sex and Violent Offender Registry. Any reduction in costs for county sheriffs will depend on the number of these offenders who reside in a given county.

(Revised) *“Romeo and Juliet” Relationships* – The court would have the discretion to order that certain sex offenders be removed from the Sex or Violent Offender Registry. Depending on how many petitions are filed, most courts should be able to resolve these cases with existing resources.

**Explanation of Local Revenues:**

**State Agencies Affected:** Department of Correction.

**Local Agencies Affected:** County sheriff.

**Information Sources:** Department of Correction Offender Information System.

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